

Wessie Sims pro-se
v.
City of Philadelphia, et al.
Defendants

Civ. Action
No. 12-05486
4-22-2015

Motion For Relief From
Judgment Rule 60

FILED
APR 24 2015
MICHAEL J. HENRY, Clerk
U.S. DISTRICT COURT

plaintiff respectfully files this motion for
Relief from judgment pursuant to Rule 60(b)(3)(5).
This motion is Based on Earlier Decisions.
The District Court Order filed 3-26-15 States:
Well over a year elapsed and the first of
plaintiff's spate of motions seeking to
reopen this Case:

Memorandum of law.

A. In *Meelenaar v. the Government of
the Virgin Islands* 822 F.2d 1342,
United States Court of Appeals 3d Circuit,
July 2, 1987).

1. The Meelenaars brought their Rule 60(b)(6)
motion almost two years after the
the District Court's initial Judgment.

2. The District Court filed a memorandum opinion vacating its earlier order finding that this misrepresentation and Circumvention by the Government was a wrongful act, and that it is inequitable for the Government to retain the benefits of these acts and omissions.
3. The Court cited Fed. R. Civ. P. 60(b)(3) which allows a Court to reopen a judgment based on fraud, misrepresentation, or other misconduct of an adverse party, as authority for vacating the prior order, and ordered that the matter be scheduled for the further taking of evidence and:
1. where opinion had been rendered but no findings of fact and conclusions of law have been made or filed, allow case to be reopened for receipt of evidence:
2. Federal Rules of Civil procedure for District Courts, Rule 59 28 U.S.C.A. Following section 723 (c) United States of America V. Celangelo 27, F. Supp. 921, no. 8497, April 27, 1939).

A. United States Court of Appeals for the Eleventh
Circuit 119, F.3d. 925, August 15, (1997)

1. In Crawford v. Andrew systems holding:
2. That the District Court's initial Judgment
Was unauthorized id. at 1154:
3. and that the District Court had no Authority
to Grant a Judgment Notwithstanding a Verdict.
4. The Court States, it self evident that
when a Court of appeals reverses a Judgment
on the ground that it was unauthorized
the Case is left without a Judgment until
the District Court enters one that is
Authorized by the Law.
5. The District Court entered Judgment
March 29, (1995). until entry, no Judgment
existed that was adverse to
Andrew Systems' interests:
as noted by the Court.

(A) The Civil Complaint filed 9-25-12 Claims
misrepresentation and Fraud.

Conclusions.

For all of the foregoing reasons Plaintiff
Respectfully request this
Honorable Court Grant relief, and allow
plaintiff to present evidence on her claims,
as the Law requires) proof.

Wessie Sims Plaintiff
4925 W. stiles Street
Philadelphia P.A.
19131

In the United States District Court
For the Eastern District of Pennsylvania.

Wessie Sims pro-se.
Plaintiff
v.
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Certificate of Service

The undersigned hereby Certify that a true and correct copy of the foregoing Response to the motion for Relief and memorandum of law was served by first-class United States mail, postage pre-paid on 4 22 2015

all Correspondence to
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By Wessie Sims pro-se.